



1-31-97P 3304  
w/d ahead.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR APPLICATION OF : Sullivan, et al.  
FOR : IMPROVED MULTI-LAYER  
GOLF BALL  
SERIAL NO. : 08/<sup>556</sup>~~566~~, 237  
FILED : November 9, 1995  
EXAMINER : M. Graham  
ART UNIT : 3304  
LAST OFFICE ACTION : September 16, 1996  
ATTORNEY DOCKET NO. : P-3724-2/SLD 2 035-3-3  
Cleveland, Ohio 4  
December 2, 1996

RECEIVED

DEC 18 1996

GROUP 3300

RECEIVED

JAN 15 1997

GROUP 3200

Assistant Commissioner For Patents  
Washington, D.C. 20231

PETITION FOR WITHDRAWAL OF NOTICE OF ABANDONMENT

Dear Sir:

Applicants hereby petition the Commissioner to withdraw the Notice of Abandonment mailed on September 19, 1996, for failure to respond to the Office Action issued on February 8, 1996, within the statutory period of six (6) months from the date of mailing.

Applicants submit that an Amendment, Terminal Disclaimer and Request for a Three-Month Extension of Time were filed in a timely fashion.

In support thereof, Applicants enclose herewith a Declaration by the secretary declaring that such Amendment, Terminal Disclaimer and Request for a Three-Month Extension were filed on August 7, 1996, using the Express Mail Service. Furthermore, copies of the

following items are attached to the Declaration as supporting evidence.

1. A photocopy of the patent postcard verifying that the afore-mentioned documents were, in fact, received by the U.S. Patent Office on August 7, 1996.
2. A photocopy of Express Mail Receipt No. EM21756392US verifying deposit of the afore-mentioned documents with the U.S. Post Office on August 7, 1996, as "Express Mail Next Day Service".
3. A photocopy of the papers as originally filed:
  - (a) An "Amendment" which includes a Certificate of Express Mail executed by Heather S. Mattes;
  - (b) A "Terminal Disclaimer To Obviate a Double Patenting Rejection (37 CFR 1.321(b))" which includes a Certificate of Express Mail executed by Heather S. Mattes; and,
  - (b) A "Request for a Three-Month Extension of Time" which also includes a Certificate of Express Mail executed by Heather S. Mattes.

Applicants respectfully submit that a response was submitted within the statutory six (6) month time limit.



In view of the foregoing, Applicants believe that all requirements were timely and complete in all respects and that such Notice of Abandonment be withdrawn.

Should the Petitions Examiner have any questions and wish to discuss this Petition, a telephone call to the undersigned attorney would be welcomed.

Respectfully submitted,

Richard M. Klein  
Reg. No. 33,000

FAY, SHARPE, BEALL, FAGAN,  
MINNICH & McKEE  
1100 Superior Avenue; Suite 700  
Cleveland, Ohio 44114-2518  
(216) 861-5582

CERTIFICATE OF MAILING

I hereby certify that this Petition for Withdrawal of Notice of Abandonment is being deposited with the United States Postal Service as Express Mail No. EM21756392US addressed to: Assistant Commissioner For Patents, Washington, D.C. 20231, on

December 3, 1996.

Heather S. Mattes



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : Sullivan, et al.  
FOR : IMPROVED MULTI-LAYER  
GOLF BALL  
SERIAL NO. : 08/566,237  
FILED : November 9, 1995  
EXAMINER : M. Graham  
ART UNIT : 3304  
LAST OFFICE ACTION : September 16, 1996  
ATTORNEY DOCKET NO. : P-3724-2/SLD 2 035-3-3  
Cleveland, Ohio 44114  
December 2, 1996

Assistant Commissioner For Patents  
Washington, D.C. 20231

DECLARATION OF SECRETARY IN SUPPORT  
OF PETITION TO WITHDRAW NOTICE OF ABANDONMENT

Dear Sir:

I, Heather S. Mattes, hereby depose and state as follows:

1. I am a secretary at the firm of Fay, Sharpe, Beall, Fagan, Minnich, & McKee, 1100 Superior Avenue, Suite 700, Cleveland, Ohio 44114-2518, and have held this position for two and a half (2 1/2) years.

2. On August 7, 1996, I prepared and mailed the "Amendment", "Terminal Disclaimer" and "Request for a Three-Month Extension of Time" for the above-identified patent application, together with one (2) checks in the amount of \$110.00 and \$900.00, respectively,

to the U.S. Patent Office by "Express Mail Next Day Service" under Express Mailing Label Number EM21756392US. Copies of the Amendment, Terminal Disclaimer and Request for Three-Month Extension of Time are attached hereto as Exhibits A, B, and C, respectively.

3. Attached as Exhibit D to this Declaration is a photocopy of the patent postcard forwarded to the U.S. Patent Office at the time of submission of the Amendment, Terminal Disclaimer and Request for Three-Month Extension of Time.

4. Attached as Exhibit E to this Declaration is a photocopy of "Express Mail Next Day Service" Receipt No. EM21756392US which was deposited with the U.S. Post Office on August 7, 1996.

Further Affiant sayeth naught.

12-2-96  
Date

Heather S. Mattes  
Heather S. Mattes

STATE OF OHIO            )  
                                  ) ss:  
COUNTY OF CUYAHOGA    )

Personally appeared before me this day, the above named Heather S. Mattes, to me personally known, who acknowledged that she signed the foregoing instrument for the uses and purposes therein mentioned, and that the same is her free act and deed.

In testimony whereof, I have hereunto set my hand and affixed my seal, this 2<sup>nd</sup> day of December 1996.

Sally A. Major  
Notary Public

(SEAL)

SALLY A. MAJOR  
NOTARY PUBLIC, STATE OF OHIO  
RECORDED IN CUYAHOGA CTY.  
MY COMM. EXPIRES 03-1-97